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10/789,497

02/26/2004

Takao Kurohata

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FRISHAUF, HOLTZ, GOODMAN & CHICK, PC  
220 Fifth Avenue  
16TH Floor  
NEW YORK, NY 10001-7708

EXAMINER

NGUYEN, ALLEN H

ART UNIT

PAPER NUMBER

2625

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/789,497

Applicant(s)

KUROHATA ET AL.

Examiner

Allen H. Nguyen

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) 10-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 06/01/2004
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Claims 10-30 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 12/10/2007.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 06/01/04 has been considered by the examiner.

### ***Specification***

The disclosure is objected to because of the following informalities:

In Specification, page 24, lines 10-11,

“a LAN (Local Area Network), as shown in Fig. 3” should be changed to - -

a LAN (Local Area Network), as shown in Fig. 2 - -

In Specification, page 24, line 14,

“a bus 240” should be changed to - - a bus 204 - -.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 5, 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakatani et al. (US 2004/0107854).

Regarding claim 1, Nakatani '854 discloses an image printing apparatus (fig. 2) comprising:

a setting device (The post-processing section 4, fig. 2) for setting an image printing condition (i.e., in the post-processing section 4, the transported output sheet is subjected to a post-process such as a stapling process, a punching process, and a sorting process; See page 8, paragraph [0108]) in printing a copied image from an original image (i.e., the original images that should be printed on each output sheet in printing the original images of the required print sheets number on the output sheets; See page 2, paragraph [0018]);

an image reader (a light scanning unit 13, fig. 2) for reading original image of a plurality of pages on a page basis (i.e., the image forming device that functions as a page printer which prints an image read from a single document on a single output sheet; See page 8, paragraph [0107]);

a read start button (A start key is pushed down in the operation panel (S3); Page 8, paragraph [0122], fig. 1) which causes the image reader to start reading an original image (i.e., carry out document reading operation and count documents number c; See page 8, paragraph [0124], fig. 1, S4);

a storage (Main Memory for Storing Image Data/ Hard Disk 64, fig. 3) for storing original images of a plurality of pages read by the image reader (i.e., the image data that has been stored in the storage means after inputting the original image data; See page 4, paragraph [0055]);

an image printing device (fig. 2) for printing a copied image on the basis of an original image stored in the storage (i.e., in the total images number calculating step, the original images are temporarily stored in storage means, and then the total number of the unit images of the original images is calculated; See page 4, paragraph [0054]) in accordance with an image printing condition set by the setting device (i.e., the post-processing means includes any one of (i) stapling means for performing a stapling process, (ii) punching means for performing a punching process, and (iii) sorting means for performing a sorting process; See page 5, paragraph [0060]);

an image printing start button which instructs the image printing device to start printing a copied image (i.e., the user sets and inputs a print copies number

g into the copying machine, and instructs the copying machine to start the printing operation (copies number setting step); See page 14, paragraph [0203], fig. 13, S22);

a controller (65, fig. 3) for performing control to form originals constituted by a plurality of pages into a plurality of groups in printing copied images from the originals constituted by the plurality of pages (i.e., printing documents having a plurality of pages (documents number c / Group c) on output sheets; See Abstract), make the setting device set image printing conditions for each group (i.e., the user sets a limited output sheets number (limited number of output sheets to be printed) a corresponding to a single job (S1); See page 8, paragraph [0122], fig. 1, S1-S2), make the image reader read images on originals for each group when the read start button is pressed (i.e., by pushing down the start key, the image reading section 3 begins an operation for reading the set document; Page 8, paragraph [0124], fig. 1, S3), make the storage store original images (i.e., the read image data is temporarily stored in the memory 64 until the printing operation begins; See page 9, paragraph [0124]), and make the image printing device print copied images for each group in accordance with the image printing conditions set for each group with respect to all the groups when the image printing start button is pressed (i.e., carry out the printing operation based on the foregoing setting; Fig. 1, S7).

Regarding claim 2, Nakatani '854 discloses an apparatus (fig. 2), wherein the image printing condition includes the number of sheets on which the copied

images are to be printed (i.e., a number of sheets that the image forming device can print by a single printing operation; See page 12, paragraph [0177]).

Regarding claim 3, Nakatani '854 discloses an apparatus (fig. 2), wherein the image printing condition includes paper delivery position information to be set when a recording sheet on which the copied image is printed is to be delivered (i.e., an amount of the output sheets that can be delivered by delivery means delivering the output sheet that have been printed; See page 5, paragraph [0058]).

Regarding claim 5, Nakatani '854 discloses an apparatus (fig. 2), wherein the controller (Central Processing Unit 65, fig. 3) causes a postprocessing device to perform processing on a booklet basis on the basis of the delimiter information (i.e., a manual reading mode in which a book-shaped document or a sheet-shaped document which cannot be automatically supplied by the automatic document transport device 31 is manually set so that a document image is read; See page 7, paragraph [0107], fig. 14, a flow chart showing a procedure of the printing condition setting booklet basis).

Regarding claim 9, Nakatani '854 discloses an apparatus, wherein the controller (Central Processing Unit 65, fig. 3) performs the image printing without stopping a print sequence on a page basis (i.e., an automatic reading mode in which sheet-shaped documents are automatically supplied by an automatic

document transport device 31 and each document is sequentially subjected to exposure scanning so that a document image is read; See page 7, paragraph [0104]) when the image printing conditions are input on a page basis (i.e., a case of printing documents having a plurality of pages (documents number c) on output sheets; See Abstract).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakatani et al. (US 2004/0107854) in view of Aikawa (US 2002/0054008).

Regarding claim 4, Nakatani '854 does not explicitly show an apparatus, wherein the image printing condition includes delimiter information indicating the end of the same image printing condition.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Aikawa '008. In particular, Aikawa '008 teaches an apparatus (30, fig. 1), wherein the image printing condition includes delimiter information (i.e., values can be set for a plurality of items specifying operation conditions associated with printing and a plurality of items specifying operation



conditions associated with postprocessing; See page 2, paragraph [0039], fig. 3) indicating the end of the same image printing condition (i.e., the cell representative of combination of "Z Fold" of the item Folding and "2<sup>nd</sup> Tray" is marked with "X", it is impossible to perform folding on the Z-Fold; See page 3, paragraph [0076], fig. 10).

In view of the above, having the system of Nakatani and then given the well-established teaching of Aikawa, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Nakatani as taught by Aikawa to include: an apparatus, wherein the image printing condition includes delimiter information indicating the end of the same image printing condition, since Aikawa stated on page 1, paragraph [0009] that such a modification would ensure some of the printing functions and the postprocessing functions cannot be selected unless an appropriate value is set for a certain item.

Regarding claim 8, Nakatani '854 discloses an apparatus, wherein said setting device comprises selecting device for selecting whether to perform control based on the delimiter information (i.e., in the printing condition setting step, when there are a plurality of the printing conditions that can be selected, the printing conditions are displayed so that the user can make a selection from the printing conditions so as to input thus selected one; See page 2, paragraph [0028], fig. 14).

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakatani et al. (US 2004/0107854) in view of Aikawa (US 2002/0054008), and further in view of Tamura (US 2003/0016391).

Regarding claim 6, the combination of Nakatani '854 and Aikawa '008 does not explicitly show an apparatus, wherein the delimiter information indicates a last page in one loading operation when the original images of the plurality of pages are to be loaded by repeating loading operation.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Tamura '391. In particular, Tamura '391 teaches an apparatus (A printer apparatus 100, fig. 3), wherein the delimiter information (Rotating Condition Set In S62 or S63 is Met, fig. 17, S64) indicates a last page (i.e., when printing-out processing of the last page has been finished (Yes in a step S15); page 12, paragraph [0172], fig. 17) in one loading operation when the original images of the plurality of pages are to be loaded by repeating loading operation (i.e., printing-out processing for the subsequent copy is started, and the mentioned series of processing (S11, S64, S15) is repeated; Page 12, paragraph [0172], fig. 17).

In view of the above, having the system of Nakatani and Aikawa and then given the well-established teaching of Tamura, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Nakatani and Aikawa as taught by Tamura to include: an apparatus, wherein the delimiter information indicates a last page in one loading

operation when the original images of the plurality of pages are to be loaded by repeating loading operation, since Tamura stated on page 1, paragraph [0005] that such a modification would ensure an image forming apparatus can perform various functions such as: a continuous copying function of repeatedly reading the same image data and copying a plurality of sheets of the same image continuously.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakatani et al. (US 2004/0107854) in view of Ohkubo et al. (US 2002/0051207).

Regarding claim 7, Nakatani '854 does not explicitly show an apparatus, wherein the read start button and the image printing start button are the same button.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Ohkubo '207. In particular, Ohkubo '207 teaches an apparatus (image printing system, fig. 1), wherein the read start button (i.e., the message "please set the manuscript on the scanner and press the reading start" is shown laterally in the uppermost row, and the "reading start" button is provided in the lowermost row together; See page 16, paragraph [0242]) and the image printing start button (i.e., the message "please remove the smart medium and press the printing start" is shown laterally, and the "printing start" button is provided in the lowermost row; See page 16, paragraph [0249]) are the same button.

In view of the above, having the system of Nakatani and then given the well-established teaching of Ohkubo, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Nakatani as taught by Ohkubo to include: an apparatus, wherein the read start button and the image printing start button are the same button, since Ohkubo stated on page 1, paragraph [0009] that such a modification would ensure a development of the image printing system which can offer a more additional value to the printed article would be desired.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kawai et al. (US 6,404,994) discloses image forming apparatus and system.

Hayashi (US 6,160,922) discloses image forming apparatus with color adjustment.

Kawamoto (US 6,632,035) discloses print control apparatus and method.

Nakagiri et al. (US 6,924,826) discloses information processing apparatus, information processing method, and storage medium storing computer-readable program.

Ohtani (US 2002/0090223) discloses image forming system with a finishing capability.

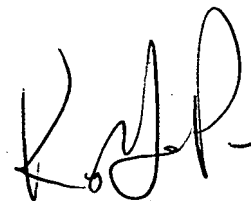
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen H. Nguyen whose telephone number is 571-270-1229. The examiner can normally be reached on M-F from 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571)-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AN

02/15/2008



KING Y. POON  
SUPERVISORY PATENT EXAMINER